

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

MELINDA WILLIAMS,  
as Administrator of the Estate of  
BRIAN P. WILLIAMS,

Plaintiff

V.

MARK PAPI, ROBERT ROBERTS,  
STANLEY ELY, PAUL MILLER,  
TERRANCE FISHER, SLADE PROFKA,  
JOHN KREIG, ROGER HARDY,  
WILLIAM OLSZEWSKI,  
TUNKHANNOCK TOWNSHIP,  
OVERFIELD TOWNSHIP,  
TUNKHANNOCK BOROUGH, AND  
MESHOPPEN BOROUGH,

Defendants

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CIVIL ACTION–LAW

**JURY TRIAL DEMANDED**

No: 3:CV-13-1151

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

As set forth more fully in Plaintiff’s Statement of Undisputed Material Facts and Brief in Support of Plaintiff’s Motion for Partial Summary Judgment pursuant to Fed.R.Civ.P. 56, plaintiff moves the Court for partial summary judgment on Count One of her Amended Complaint relating to plaintiff’s claim under 42 U.S.C. § 1983 against Papi, Roberts, Ely, Miller, Profka, Kreig, Hardy and Olszewski for their use of unreasonable force in

entering Mr. Williams' home in violation of the Fourth Amendment to the United States Constitution and Count Seven (misnumbered as a second Count Six) of her Amended Complaint relating to plaintiff's claims under the Americans With Disabilities Act ("ADA") and Rehabilitation Act ("RA") against Overfield Township, Tunkhannock Township, Meshoppen Borough and Tunkhannock Borough.<sup>1</sup>

WHEREFORE, the plaintiff respectfully requests that this Honorable Court enter summary judgment in her favor and against defendants on Counts One and Seven of the Amended Complaint.

Respectfully Submitted,

S/ Shelley L. Centini, Esq.  
Shelley L. Centini, Esq.  
Supreme Court ID # 085680  
Dyller Law Firm  
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<sup>1</sup> Plaintiff's Amended Complaint erroneously contains two causes of action titled "Count Six." Plaintiff's partial summary judgment motion refers to the second of these two claims which relates to the ADA and the RA and can be found at paragraphs 174-188. (Doc. 44).